

19.05.2026
Item No.6
Court No.37
CHC

In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA (H) 43 of 2026

Sarada Swami
Vs.
The State of West Bengal & Ors.

Mr. Subhadeep Chatterjee, Advocate
Ms. Arpita Kundu, Advocate
Mr. Bithin Mandal, Advocate
...for the petitioner

1. Affidavit-of-service filed in Court be taken on record.
2. Writ petition is at the behest of a mother.
3. Materials placed on record suggest that, the writ petitioner was taken into custody in a police case involving murder of her husband. She was released on bail on January 19, 2026.
4. There is a child born out of the wedlock between the writ petitioner and her husband, since deceased. Custody of child was taken by the Child Welfare Committee, Hooghly, West Bengal.
5. Writ petitioner made a representation dated February 2, 2026 to the Chairperson, Child Welfare Committee, Hooghly, West Bengal for release of the child.
6. There is nothing on record to suggest that, such application was decided by the concerned Child Welfare Committee.
7. None appears for the respondents.

8. Child Welfare Committee, Hooghly, West Bengal is requested to consider and decide the application for grant of release of the minor, as made by the writ petitioner, dated February 2, 2026 in accordance with law by passing a reasoned order after affording the writ petitioner an opportunity of hearing.
9. List the writ petition on **June 16, 2026**.
10. Child Welfare Committee, Hooghly, West Bengal will communicate its decision on the application dated February 2, 2026 to the writ petitioner in the meantime.
11. Till August 31, 2026 or until further orders, whichever is earlier, Child Welfare Committee, Hooghly will not put up the child for adoption.
12. Petitioner will communicate this order to the Child Welfare Committee, Hooghly, West Bengal for compliance.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)